



State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

FINAL DECISION ON

EMERGENT RELIEF

OAL DKT. NO. EDS 05200-21

AGENCY DKT. NO. 2021-33023

A.A. ON BEHALF OF A.B.,

Petitioners,

v.

HAMILTON TOWNSHIP

BOARD OF EDUCATION,

Respondent.

THIS MATTER having come before this tribunal, on June 25, 2021, as an emergent relief application for “stay put” before the Honorable Elaine B. Frick, ALJ, with appearances by A.A. on behalf of A.B., petitioners, pro se; and by Michael A. Pattanite, Jr., Esq., Lenox, Socey, Formidoni, Giordano, Lang, Carrigg & Casey, LLC, attorneys for respondent, Hamilton Township Board of Education (the District); and the parties having confirmed upon the record the stay put placement for the student; and for good cause shown;

IT IS hereby **ORDERED** and **ADJUDGED** as follows:

1. The parties agree the stay put placement for the student, A.B., is at the Mercer County Special Services School District, pursuant to the April 16, 2021, Individualized Education Program (IEP). This was confirmed by testimony from A.A. and from the District’s Director of Student Services and Programs, Ms. Marta Audino.

2. As there is no dispute to the stay put placement, the emergent relief request is rendered moot.
3. All parties understand the underlying due process petition, wherein petitioners object to the proposed June 8, 2021, IEP, remains pending.
4. It is **ORDERED** that the emergent relief requested has been rendered **MOOT**, and the student's stay put placement is confirmed by consent to be at the Mercer County Special Services School District.

This decision on application for emergency relief shall remain in effect until the issuance of the decision on the merits in this matter. The hearing having been requested by the parents, this matter is hereby returned to the Department of Education for a local resolution session, pursuant to 20 U.S.C.A. § 1415 (f)(1)(B)(i). If the parent or adult student feels that this decision is not being fully implemented with respect to program or services, this concern should be communicated in writing to the Director, Office of Special Education Policy and Dispute Resolution.



June 25, 2021
DATE

ELAINE B. FRICK, ALJ

Date Received at Agency:

June 25, 2021

Date Mailed to Parties:

June 25, 2021 (Sent Via E-Mail)

/dm

cc: Deputy Clerk – OAL Trenton